

SUMMARY OF STATE BURDEN REDUCTION RECOMMENDATIONS AND EPA COMMENTS

PROGRAM: Office of Air & Radiation

Reporting Requirement	State Recommendation	States	Regional Comments	Office of Air & Radiation Comments
Inspection and Maintenance Program (I&M) reporting under CAA and regulations	<p>--Change to annual reporting from semi-annual (MD)</p> <p>--Specific data elements in regulation should be eliminated and replaced with more general requirements (NH)</p> <p>-- Change reporting frequency from annual to every 2 years (VA)</p> <p>-- Eliminate or redefine biennial I/M program evaluations with specific cost-effective procedures (VA)</p> <p>-- Eliminate biennial I/M report and include info in annual report (MA)</p> <p>-- Annual and biennial reports are burdensome: requirements should be updated and streamlined (IL)</p>	MD, NH, VA, MA, IL	<p>R1: agrees w/annual reporting (MA) but disagrees w/(NH); cites draft OIG report critical of I&M program which could lead to increased reporting</p> <p>R3: Each data element is required by regulation. Will do more detailed review of report (VA). Will follow-up with MD; semi-annual reports are not required.</p> <p>R5: recognizes burden posed by required reporting elements of an I/M program (IL); encourages working with states to determine an appropriate level of reporting while keeping in mind I/M program deficiencies identified by IG report.</p>	<p>--Comments from various states regarding the frequency of and burden associated with the vehicle inspection and maintenance (I/M) rule's reporting requirements suggest that many states are confused by these requirements. To clarify: There are two sets of I/M reporting requirements – an annual report (primarily numerical in nature) that provides a summary of program operating statistics and a biennial report (primarily narrative in nature) that describes the program's efforts to identify and correct program deficiencies. There is no semi-annual reporting requirement. The reporting frequency is a minimum; states may submit reports more frequently if it is more convenient to do so. There is also no prescribed format for the submission of the required reports. If the required summary statistics are available in a pre-existing report (perhaps required by the state legislature) submission of that pre-existing report will satisfy the I/M reporting requirement.</p> <p>--As a result of a recent audit report on I/M implementation by the Office of the Inspector General (OIG) which highlighted the importance of enforcing current I/M reporting requirements, EPA does not intend to revise those existing requirements. Furthermore, in that same audit report, the IG found that many states are not meeting EPA's I/M reporting requirements. In its response to OIG, EPA indicated that it would address this deficiency by prioritizing enforcement of the I/M reporting requirements, beginning</p>

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				with the next I/M reporting period in July. --Thus, no changes to reporting requirements are planned at this time.
NEI reporting	<p>-- Must use specific coding requirements called NIF: revise/loosen coding requirements (IA)(HI)</p> <p>-- EPA should eliminate duplicative inventory reporting requirements by modifying its rules (CERR, CAIR, etc.) (IA)</p> <p>-- EPA-manipulated data should be identified as such, or EPA must assume original data is accurate and not change it (UT)(1)</p> <p>-- Type A (large) point source annual data submittal should be changed to tri-annually (UT)(2)</p> <p>-- NEI (includes county-level detail) submittals: clarify inventory requirements to prevent multiple submissions (UT)(3)</p> <p>--EPA does identify but needs to clarify which numbers are valid: EPA or state. (HI)</p> <p>-- Better clarify inventory reporting requirement at beginning of process (concerns over HAP and on-road mobile additions) (UT)(4)</p> <p>-- NEI & AFS require Lat/Long & UTM for each emission release point; eliminate use of UTM & rely only on Lat/Long for NEI & AFS (MA)(1)</p> <p>-- Emission release point information for non-major sources in NEI should be modified to apply to major sources (MA)(2); possibly establish thresholds for non-major emission points. (HI)</p> <p>-- Reporting on NEI, Area Source</p>	IA, UT, MA, MD, CT, HI	<p>R1: OAR is overhauling database which should address various concerns; agrees w/OAR re MA(1)</p> <p>R3: will follow-up with MDE to clarify request.</p> <p>R7: OAR is overhauling database which should address various concerns (IA)</p> <p>R8: no comment (UT)</p>	<p>--A number of states made comments related to the National Emissions Inventory. EPA is currently overhauling its air emissions database system which should address various state concerns. The overhauled NEI will be operational in 2008. Attached is a table listing some of the improvements that will be included in the updated NEI.</p> <p>--PM10 Reporting – NY The current PM10 NAAQS is based on standard conditions of ambient pressure and temperature, so EPA must have access to PM10 data reflecting standard conditions. EPA's monitoring rule therefore requires submission of PM10 data under standard conditions to the Air Quality System (AQS). AQS also accepts data submitted at local conditions, but does not use one type of data to calculate the other. We recognize that the current PM2.5 NAAQS, current PM2.5 data reporting, and planned PM10-2.5 data reporting are based on local conditions (there is no current NAAQS for PM10-2.5, but EPA recently proposed but did not finalize one which would also be based on local conditions). We also recognize that in anticipation of a possible PM10-2.5 NAAQS and for other reasons, some states including New York prefer to store and use PM10 data based on local conditions. EPA's requirement for reporting PM10 under standard conditions</p>

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	Inventory and Mobile Source Inventory should be streamlined to avoid duplicative reporting and multiple submissions (MD)			<p>means that such states must make double data submissions to AQS.</p> <p>--In response to this comment, OAQPS contacted the responsible NY Department of Environmental Conservation monitoring manager to make sure we understand New York's situation. New York uses only "low volume" PM10 samplers, which resemble PM2.5 samplers. These samplers collect and could submit the temperature and pressure data that would allow calculations back and forth between local and standard conditions, avoiding the need to make double data submissions for these samplers. However, calculated concentrations at standard conditions could not be retrieved from AQS as it is currently programmed. In its long term planning for AQS enhancements, EPA will consider the relative priority of an AQS modification to be able to automatically calculate the corresponding PM10 values at standard conditions from a submittal of PM10 data at local conditions. Meanwhile, we will have to continue to require reporting based on standard conditions.</p> <p>-- For purposes of reporting to NEI, states can use either Lat/Long or UTM but do not have to report both (MA)(1);</p> <p>-- EPA's final AERR rule (June 2007) will result in states submitting a single emission inventory (IA)</p> <p>--EPA is overhauling and redesigning the NEI program and process. This should</p>

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				address UT's concerns (1-3)
Reporting in databases	<p>-- Reduce level of detail when reporting on county/ location code in AFF (MD)</p> <p>-- Reduce level of detail when reporting on minor sources</p> <p>--Reporting PM 2.5 and ozone values every hour to AIRNOW--provide resources. Recommends that switch of AIRNOW system to Exchange Network be given a high priority and AIRNOW reporting be made more consistent with EPA's AQS system. (OR)(1)</p> <p>-- Reporting ambient air quality and toxic data to AQS every calendar quarter burdensome; make data in AQS available through Exchange Network ; provide training for EPA regional staff; provide additional resources to meet shortened annual certification period (OR)(2)</p> <p>-- Monthly & annual reporting of air pollution monitoring data to AFS burdensome; AFS is cumbersome & difficult to use; modify and improve system (HI) (OR)(3)</p> <p>-- AQS/AFS AIRS system antiquated--state uses own database to track air monitoring, permitting and compliance data (NV)(HI)</p> <p>-- Reporting PM-10 data to AIRS using standard conditions rather than using local conditions as required by PM-10 regulations which needs to be revised as it is 20 yrs old and not current with today's methodology (NY)</p> <p>--Reporting county codes for each air emissions source in AFS burdensome;</p>	MD, OR, NV, NY, MA, SC, IL, CO	<p>R1: agrees w/ MA</p> <p>R2: agrees w/ and supports NY</p> <p>R3: the code is vital in order for inspectors to locate facilities</p> <p>R4: agrees w/ SC and will remove this reporting requirement</p> <p>R5: disagrees w/ IL as these data elements are critical in prioritizing programs and conducting national evaluations</p> <p>R10: -- no comment (OR)(1) -- no comment (OR)(2) -- agrees w/OR(3) that AFS needs to be modernized and R10 will be actively involved in the process; fully supports any changes that allow for more streamlined state reporting</p>	<p>-- Agrees w/R5 (see IL comment)</p> <p>-- Disagrees w/NY</p> <p>-- (OR)(1): When the AirNow program first started, EPA was able to provide resources under the EMPACT program. However, that funding is no longer available. While we provide the AIRNow infrastructure, we cannot fund the costs of reporting the data.</p> <p>--It is our understanding that OR operates a data management and reporting system which it developed in-house and requires relatively more annual resources than other states using commercial data systems. OR may wish to apply for a National Environmental Information Exchange Network (NEIEN) grant to replace this system, and/or consider whether investment of state resources would have a good payoff in reducing annual expenses.</p> <p>--Recently OAQPS completed a pilot project with NY, NJ, and DE that allowed submission of AIRNow data over the NEIEN. We can now accept data from those three states via an XML transfer over the NEIEN, using the AQS schema. We will begin making this capability available to our AirNow users but will probably take a year or more to complete this effort. If OR is interested in applying for a NEIEN grant, they may consider this as a possible approach. We do not know the direct resource savings this may have for OR but it would allow using the same data format</p>

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	<p>expedite AFS modernization project or allow MA to continue using AQCR instead of county code until AFS is modernized (MA)</p> <p>-- List of metropolitan statistical areas for which AQI is reported duplicative; eliminate as SC submits same info to EPA's AIRNOW website (SC)</p> <p>-- Data reporting to AFS: stack test; Title V annual certification review; HPV criteria code. Eliminate-- burdensome and resource-intensive (IL)(HI)</p> <p>--Reporting for AQ programs is burdensome and duplicative; allow for less frequent reporting (annual)</p>			<p>as AQS which would save some time.</p> <p>--(OR)(2): We are moving ahead with making the AQS data available via the Exchange Network. We have built a new system for disseminating air quality data called the AQS Data Mart. The AQS Data Mart will make full use of Exchange Network technology including allowing other Network users to query the data using standard Network methods. The Data Mart is in the initial stages of release and should be fully released and available on the Exchange Network in spring 2007.</p> <p>--OR (2) re training for EPA regional staff: The Exchange Network is managed by EPA's Office of Environmental Information and they control the interfaces and queries. They do provide training and outreach materials.</p> <p>--Where OAQPS modifies generic Exchange Network interfaces or queries to access AQS we do provide documentation and training. AQS has been using the Exchange Network to collect data for two years and we have included instructions on how to do so in our users' guides and configuration documents. We also cover this in our classroom training (offered several times a year around the country) and in training and sessions at our national conference. We also participate in the Exchange Network national conference to provide an update on the status of AQS projects and answer any technical questions. We also host a bi-weekly open phone line where Exchange Network users</p>

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				<p>can call in with questions. We plan to continue all of these training and education activities.</p> <p>--No comment on (OR)(3)</p> <p>-- Agrees w/R4 (see SC comment)</p>
Sec. 105 grant reporting of accomplishments under 40 CFR 35.115(b)(1)	<p>-- Annual summary report of accomplishments -- submit only if grant requirements/commitments not met (KY)(1)</p> <p>--Eliminate quarterly reports under 105 air program grant—redundant (report submitted to EPA technical and administrative P.O.'s (KY and SC)(2)</p> <p>--SC and KY don't want to submit report under CAA 105 grants for mobile sources (3)</p> <p>--Note: R9 requires only semi-annual 105 grants reports (HI)</p>	KY, SC, HI	R4: -- agrees with (1), (2) and (3)	<p>--Agrees with (1) and (2); N/C on (3)</p> <p>-- This is a specific region's issue in terms of how its joint evaluation with a specific state is carried out. As part of the requirements for evaluation of performance, 40 CFR 35.115(b) does require that a recipient discuss its accomplishments as measured against its work plan commitments. One state pointed out that an annual narrative summary identifying all its accomplishments was redundant since these accomplishments were evident via their respective tracking or reporting systems. The state noted that the narrative explanation should focus on what was <u>not</u> accomplished and why. The region agrees and proposes that the state and region address the matter by having the state indicate in its annual summary a brief statement that all commitments were accomplished except the following. The summary would then focus on the latter. The region also agreed that the necessity for quarterly reports will be reviewed on a case-by-case basis and that some can be eliminated. The region agreed that the status of mobile source activity can be obtained in other ways.</p>
MACT categories for which MT has received delegation	Eliminate because EPA incorporates MACT standards by reference and info is available on AFS database	MT	R8: will drop requirement for annual reporting w/Nov. deadline from PPA but must continue to	No comment

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			notify R8 re any new incorporation/automatic delegation of standards and/or other requirements. Because of MT's rulemaking process, this notification occurs every two/three years. Not a national reporting requirement but a grant one.	
Notification whenever NE receives variance request	Eliminate and provide same to R7 in semi-annual report	NE	R7: did not comment	Did not comment
Submission of info on ethanol permit & PSD applications	Provide only PSD public notice	NE	R7: PSD: currently determining the % of PSD permit review necessary for effective oversight Ethanol: working to make an electronic clearinghouse available and encourages NE to make ethanol info publicly available so that R7 can retrieve info from web w/o additional burden to states	This is a Region 7 issue/concern. HQ does not have a position regarding this matter.
Submit public notices for all permits	Required by state regulation; allow NE to revise it	NE	R7: Open to discussion to reduce burden of public notice for minor source pre-construction permits	EPA determined that periodic review of PSD permits instead of real-time review was far less effective in terms of environmental protection
Annual Air Monitoring Report	Eliminate; redundant to send info electronically, then must send a hard copy	NE, HI	R7: Agrees to eliminate hard copy	Agrees w/R7
OAQPS P11 requires 6-mo. summary of actions under Title V permit applications	Duplicative as MA submits info on each action taken on Title V permits to R1	MA	R1: disagrees, believes reports are necessary	Agrees w/R1
CAA sections 112(g) and 112(r)	--Enter all sec. 112(g) determinations made in the sec. 112(g) clearinghouse; eliminate reporting requirement (SC)(1) -- Document sec. 112 (r) efforts/plans; eliminate report and workplans (SC)(2)	SC, KY	R4: agrees w/(1); did not comment on (2)	--Agrees w/R4 re (1); both agree as long as states continue to submit the information to the 112(g) Clearinghouse. -- (2) Disagrees. As this is a delegated

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				program, EPA needs this information.
List of PSD/NSR applicability determinations resulting in non-applicability	Eliminate	SC, KY	R4: Agrees with SC because the state includes the reason for PSD/NSR not applying in its public notices on its permits; agrees to eliminate for KY only if state agrees to provide this information in its public notices similar to the process in SC.	Agrees w/R4.
Misc. reports	<ul style="list-style-type: none"> -- Eliminate quarterly report on conformity consultations as EPA has this info (MD) -- Eliminate annual report on technical training for EPA air program staff (SC) (1) -- Summary of mobile source outreach and voluntary program activities--eliminate as same information is in Early Action Compact progress reports (SC & KY) -- Evaluate air monitoring equipment and inform EPA of status--eliminate as SC will perform regardless (SC)(2) -- Annual progress reports on sec. 111(d) and 129 plans; eliminate, no value (SC) (3) --Conduct evaluation of ambient monitors, auxiliary support equipment and categorize condition as poor or good – eliminate (SC)(4) 	MD, SC, KY	<p>R3: agree, these reports will be eliminated in next grant cycle.</p> <p>R4: --doesn't support (SC)(1) but willing to work with the state to develop better method of reporting training activities;</p> <ul style="list-style-type: none"> -- disagrees w/SC(2), report is necessary for grant accountability -- defers to HQ on (3) -- agrees as long as evaluation of the monitors is covered in SC's annual network review (SC)(4) 	<p>-- (MD) report is an R3 requirement for air grant. No national requirement for these types of reports.</p> <p>--Agrees w/R4 re SC (1) and SC (4)</p> <p>-- (SC)(1): This reporting requirement was associated with the use of the Distance Learning Network, when EPA provided resources to the states to set up downlink sites for their Satellite Training sessions. OAQPS required that the Regions include a reporting requirement in all 105 grants on the training activities in order to gain documentation on the use of the satellite training sessions. Region 4 has for the last several years allowed their grantees to utilize the training report created by the Region 4 Training workgroup under SESARM/METRO4 to meet this grant commitment. HQ concurs in the use of the Region 4 training report and in discontinuing the previously required satellite training use report.</p> <p>--(SC)(3): This concern results from the CFR provisions under section 60.25 titled "Emission inventories, source surveillance,</p>

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				<p>reports". Specifically, section 60.25(e) and (f) requires states submit annual reports to EPA on the progress in implementing and enforcing state 111(d) plans including identification of (1) achievement of increments of progress in implementation of the plan (2) identification of any enforcement actions initiated during the reporting period, (3) identification of affected facilities that have closed, (4) emission inventory data for new sources identified since plan development (5) any plan updates, and (6) performance test data from designated sources.</p> <p>--Some reduction in reporting burden is probably desirable on a state-by-state basis. However, amending these reporting requirements may invite significant controversy. The existing requirements have been in force for more than 25 years, apply to a myriad of source categories and have been highly effective. Reducing reporting could also appear to be back sliding in enforcement.</p> <p>--As this request came from only one state, HQ believes a substantial portion of the other states are satisfied with these reporting requirements. OAQPS will, with the assistance of the EPA Regional Offices, explore this request in more detail to determine both the interest of the states and the applicability of the reduced reporting requirements.</p>
State Implementation	Burdensome process, needs to be streamlined	NV	R9: disagrees	SIP process is not a reporting function but prescribed by CAA. EPA is working on

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Plans				streamlining SIP development/approval process.
Federal air program rulemaking	Does not allow for state participation. Adequate funds should be provided to ensure that regulatory changes and new programs can be implemented	NV	R9: disagrees	EPA doesn't view federal rulemaking process as a state reporting burden. States are critical partners in developing and implementing rules and policies.